

DEPARTMENT OF PUBLIC HEALTH  
AND HUMAN SERVICES

CHAPTER 70

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Subchapter 1

General Program Administration

37.70.101 SAFEGUARDING/SHARING INFORMATION (1) Disclosure of information concerning applicants for or recipients of low income energy assistance is restricted to purposes directly connected with the administration of such aid. Such purposes include establishing eligibility, determining amount of assistance, and providing benefits to or on behalf of applicants and recipients.

(a) Proper requests for information from a government authority, a court, or a law enforcement agency will be honored and the information released along with a notification of the confidentiality of the information and the penalty for misuse of such information. Whenever possible, the department will attempt to obtain prior consent from the applicant or recipient, except in emergency situations where notification will be given after the release of information and in cases where the information is released for legal and investigative actions concerning fraud, collection of support and third party medical recovery. (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; TRANS, from SRS, 1998 MAR p. 2059.)

37.70.102 ROLE OF THE LOCAL CONTRACTOR (1) The department will contract with appropriate community-based organizations in the state to provide outreach and to receive and process applications for the low income energy assistance and weatherization programs.

(a) In providing outreach, the local contractor performs specified activities designed to inform all potentially eligible households in the contract area of the existence of and the benefits available under the low income energy assistance program. Such application may also constitute an application for weatherization.

(b) In receiving and processing applications, the local contractor determines household eligibility and benefit award under the rules contained in this chapter. (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1983 MAR p. 1362, Eff. 9/30/83; TRANS, from SRS, 1998 MAR p. 2059.)

Rules 03 through 05 reserved

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37.70.106 FAIR HEARINGS (1) Any applicant/recipient who is aggrieved by an adverse department action as defined in ARM 37.5.304 may request a fair hearing as provided in ARM 37.5.307. Fair hearings and appeals of fair hearing decisions shall be conducted as provided in ARM 37.5.313, 37.5.318, 37.5.322, 37.5.325, 37.5.328, 37.5.331 and 37.5.334.

(2) It is the responsibility of the department through the local contractor to inform every applicant/recipient in writing at the time of application and at the time any action affects his benefits of the right to request a fair hearing. (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2000 MAR p. 1653, Eff. 6/30/00; AMD, 2004 MAR p. 2818, Eff. 11/19/04.)

37.70.107 REFERRALS TO THE DEPARTMENT OF JUSTICE

(1) When requested by the department, the department of justice shall have the power and duty to:

(a) investigate matters relating to low income energy assistance including, but not limited to, the claim for an acceptance of benefits by recipients and the receipt and disbursement of funds by the department or the local contractor; and

(b) institute civil and criminal actions in the appropriate courts to enforce the welfare laws with respect to low income energy assistance and violations thereof.

(2) The audit and compliance bureau is the liaison between the department and the department of justice. Referrals of fraud and requests for investigation must be sent to the Department of Public Health and Human Services, Quality Assurance Division, Audit and Compliance Bureau, 2401 Colonial Drive, P.O. Box 202953, Helena, MT 59620-2953, before they are referred to the department of justice. When the department of justice makes a direct request to the local contractor for case information, the information may be sent directly to the department of justice. (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2002 MAR p. 3635, Eff. 11/28/02.)

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37.70.110 FRAUD/TRANSFER OF RESOURCES (1) Whoever knowingly obtains by means of a willfully false statement, representation, or impersonation or other fraudulent device low income energy assistance to which he is not entitled is guilty of theft as provided in 45-6-301, MCA and is ineligible for assistance for the entire current heating season.

(2) If an individual appears to have received assistance fraudulently, the local contractor must report all facts of the matter to the audit and compliance bureau. The bureau may in turn refer the matter to the department of justice or the county attorney of the county in which the recipient resides for further action.

(3) Resale or transfer of benefits to another party is expressly prohibited.

(4) Fuel vendors may not retain benefits of LIEAP beneficiaries who have discontinued service.

(5) Fuel assistance shall not be granted to any person who has deprived himself directly or indirectly of any resources for the purpose of qualifying for assistance. Any person who has transferred resources or interest in resources within one year of the date of application without receiving adequate consideration in money or money's worth shall be presumed to have made such transfer for the purpose of qualifying for assistance.

(a) The applicant or recipient may submit evidence that he did not make the transfer of resources for the purpose of qualifying for assistance.

(b) It is the responsibility of the applicant to submit this evidence. (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1984 MAR p. 1481, Eff. 10/12/84; AMD, 1985 MAR p. 1412, Eff. 9/27/85; AMD, 1990 MAR p. 1959, Eff. 10/26/90; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2002 MAR p. 3635, Eff. 11/28/02; AMD, 2004 MAR p. 1026, Eff. 4/23/04.)

Rules 11 through 14 reserved

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37.70.115 OVERPAYMENTS AND UNDERPAYMENTS (1) When it is discovered that an administrative error resulted in an underpayment of low income energy assistance, it may be corrected by increasing the benefit award to cover the underpayment.

(a) For purposes of determining financial eligibility, such retroactive corrective payments shall not be considered as income.

(2) Current and future program year payments of low income energy assistance will be reduced the full amount of prior overpayments, unless the administrative cost would exceed the amount of overpayment.

(a) However, cases in which the recipient willfully made false statements causing overpayment are to be referred to the audit and compliance bureau for determination of fraud as provided in ARM 37.70.110. (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1985 MAR p. 1412, Eff. 9/27/85; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2004 MAR p. 1026, Eff. 4/23/04.)

Subchapter 2 reserved



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Subchapter 3

Application and Eligibility Determination

37.70.301 INTERVIEWS REQUIRED AND CONTENT OF INTERVIEWS  
(REPEALED) (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1982 MAR p. 1771, Eff. 10/1/82; AMD, 1992 MAR p. 2201, Eff. 9/25/92; TRANS, from SRS, 1998 MAR p. 2059; REP, 2001 MAR p. 2037, Eff. 10/12/01.)

Rules 02 and 03 reserved

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37.70.304 APPLICATIONS TO BE VOLUNTARY (1) Applications must be voluntary and initiated by the person in need, except an application may be made by a third party when the physical or mental condition of the person in need precludes his ability to make application himself. (History: 53-2-201, MCA; IMP, 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2001 MAR p. 2037, Eff. 10/12/01.)

37.70.305 APPLICATION (1) A new application for low income energy assistance must be made for each new heating season, or when a household changes residence during the heating season. An application is initiated by filing a signed written application on the form prescribed by the department at the office of the local contractor in the area where the applicant lives. If necessary, the contractor will provide assistance in completing the application form.

(2) The application form may be submitted by mail or by other means to the local contractor's office. The department or its contractor may, at their option, accept applications at locations other than the local contractor's office, such as a senior citizen center, as designated by the department or its contractor.

(3) An application for low income energy assistance generally must be filed during the heating season for which assistance is being sought, that is, between October 1 and April 30. However, at the option of the department, applicants who use certain types of heating fuel which are sold at lower prices during the summer months or applicants for emergency services between May 1 and September 30 may be permitted to file their applications prior to October 1 of the heating season for which they are seeking assistance.

(4) After the application is filed, the contractor may request any additional information or documentation required to verify whether the applicant is eligible for assistance. The contractor may also, at its option, conduct an interview with the applicant in person or by telephone if necessary to determine eligibility. In cases where the contractor considers an interview to be necessary and neither the contractor's office nor a telephone is reasonably accessible to the applicant, the contractor will conduct the interview at some place which is reasonably convenient for both the applicant and the contractor.

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(5) The applicant has the burden of proving that the applicant meets all requirements for eligibility, and the application will be denied if the applicant fails to provide necessary information or documentation when requested to do so.

(6) No person or family will be excluded from participation in the low income energy assistance program or be discriminated against in regard to the amount of benefits or in any other regard on the basis of race, color, religion, sex, culture, age, creed, marital status, physical or mental disability, political beliefs, or national origin. (History: 53-2-201, MCA; IMP, 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1982 MAR p. 1771, Eff. 10/1/82; AMD, 1985 MAR p. 1412, Eff. 9/27/85; AMD, 1993 MAR p. 2437, Eff. 10/15/93; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2001 MAR p. 2037, Eff. 10/12/01; AMD, 2002 MAR p. 3635, Eff. 11/28/02; AMD, 2005 MAR p. 2078, Eff. 10/28/05.)

Rules 06 through 09 reserved

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37.70.310 INVESTIGATION OF ELIGIBILITY (1) Investigations of eligibility will include securing information from the person applying for or receiving benefits and such other investigation as may be determined necessary by the department.

(a) Each application for assistance will be promptly and thoroughly investigated by a staff member of the local contractor. If a case is picked for quality control review, the client must cooperate or be subject to reduced, suspended or terminated benefits. (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1982 MAR p. 1771, Eff. 10/1/82; AMD, 1989 MAR p. 1571, Eff. 10/13/89; TRANS, from SRS, 1998 MAR p. 2059.)

37.70.311

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(1) Procedures followed in determining eligibility for low income energy assistance are:

(a) An application is filed by the applicant together with all necessary verification for determining financial eligibility and benefit award. An applicant who willfully fails to provide information necessary for a determination of eligibility within 45 days of the date of initial application shall be determined ineligible but may reapply for assistance. The staff member of the local contractor accepts the application and determines financial eligibility and amount of benefit. The client is notified of the reasons for approval or disapproval of his application. Eligible applicants shall be notified that benefits are computed for heating costs only for the period October 1 through April 30.

(b) Eligibility requirements that must be verified include but are not limited to:

(i) current receipt of benefits under supplemental security income or cash assistance funded by temporary assistance for needy families (TANF);

(ii) income/resources;

(iii) lack of tax dependency status for individuals enrolled at least half time in an institution of higher education;

(iv) primary heating fuel; and

(v) receipts to support paid eligible energy costs when a household seeks direct reimbursement for paid eligible energy costs as provided in ARM 37.70.607. Failure to provide receipts to the local contractor within 45 days of the heating season's end will result in forfeiture of any remaining benefits for that heating season.

(c) If reasonable doubt exists as to the accuracy of the information provided by the client, the type of dwelling, including the number of bedrooms and/or the primary heating fuel/vendor must also be verified. (History: 53-2-201, MCA; IMP, 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1983 MAR p. 1362, Eff. 9/30/83; AMD, 1984 MAR p. 1481, Eff. 10/12/84; AMD, 1985 MAR p. 1412, Eff. 9/27/85; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2001 MAR p. 2037, Eff. 10/12/01; AMD, 2004 MAR p. 2818, Eff. 11/19/04; AMD, 2005 MAR p. 1786, Eff.

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37.70.312 NOTIFICATION OF ELIGIBILITY (1) An individual who makes application for low income energy assistance and weatherization will receive written notice of eligibility. If the applicant is determined ineligible, notification shall include the reasons for nonapproval. (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1983 MAR p. 1362, Eff. 9/30/83; AMD, 1985 MAR p. 1412, Eff. 9/27/85; AMD, 1989 MAR p. 1571, Eff. 10/13/89; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2002 MAR p. 3635, Eff. 11/28/02.)

Rules 13 through 17 reserved

37.70.318 NOTICE OF ADVERSE ACTION (1) Each person who receives assistance must be notified 10 days in advance of any action that terminates or reduces his benefits. Notification must be in writing and contain information about the amount of decrease or the closure, the reason and legal basis for the action, and must advise the client of the date on which the action will take effect. The notice must inform the client of his right to a fair hearing.

(2) The local contractor may dispense with timely notice but must send adequate notice no later than the date of action in the following situations:

- (a) recipient dies;
- (b) recipient no longer wishes assistance;
- (c) recipient admitted or committed to an institution;
- (d) recipient fraudulently obtained benefits. (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1983 MAR p. 1362, Eff. 9/30/83; TRANS, from SRS, 1998 MAR p. 2059.)

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#### Subchapter 4

#### Coverage and Conditions of Eligibility

37.70.401 DEFINITIONS (1) "Annual gross income" means all non-excluded income including but not limited to wages, salaries, commissions, tips, profits, gifts, interest or dividends, retirement pay, workers' compensation, unemployment compensation, and capital gains received by the members of the household in the 12 months immediately preceding the month of application.

(a) For households with self-employment income, annual gross income means annual gross receipts minus self-employment deductions.

(2) "Annual gross receipts" applies to households with income from self-employment and means all income before any deductions, including any non-excluded income not from self-employment, which was received by members of the household in the 12 months immediately preceding the month of application.

(3) "Disabled individual household" means a household in which resides at least one person who has been determined disabled based on the criteria for disability provided in Title II or Title XVI of the Social Security Act.

(4) "Elderly" means a person who is 60 years of age or older.

(5) "Eligible energy costs" means costs of the various types of energy supplied by the household's fuel vendors. Energy delivered by the household's fuel vendors prior to October 1 are ineligible for payment under the current year's program. Provided, however, that eligible energy costs may include energy delivered prior to October 1 for applications filed after September 30, when the type of fuel and the vendor's normal billing procedures make the above definition impracticable.

(6) "Heating season" means the period from October 1 to April 30 of the following year. For example, the 1999 through 2000 heating season is the period from October 1, 1999, through

April 30, 2000.

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(7) "Household" means any individual or group of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent.

(a) Any foster child or foster adult who lives in the household at the time of application and for whom foster care payments are being made may be either included or excluded from the household at the option of the LIEAP applicant. This option must be exercised at the time of application and cannot be changed until a new application for the next heating season is made.

(b) An unborn child may not be counted as a member of the household.

(8) "In-kind income" means goods, services or other non-monetary benefits, including but not limited to meals, clothing, housing or produce.

(9) "Institution of higher education" means a college, university, or vocational or technical school at the post-high school level.

(10) "Licensed group-living situation" means a facility that is licensed by the department and in which housing is provided in a home-like setting on a long term or permanent basis to individuals or households, including community homes for persons with developmental disabilities licensed under 53-20-305, MCA. It does not include community homes for persons with severe disabilities licensed under 52-4-203, MCA or youth care facilities licensed under 52-2-622, MCA, shelters for homeless or abused individuals, halfway houses, nursing homes or convalescent centers or other residential treatment facilities which provide shelter in an institutional setting.

(11) "LC" means local contractor.

(12) "Member receiving supplemental security income (SSI), TANF-funded cash assistance or county or tribal general assistance (GA)" means any member of a household whose needs are included in the SSI, TANF-funded cash assistance, indigent



assistance or tribal GA grant or any person whose income and resources are considered in determining eligibility for those programs.

(13) "Mobile home" means a single wide trailer or mobile home only.

(14) "Multi-family unit" means a building which contains two or more shelter or rental units for living purposes. For purposes of the program, a duplex and a home with a basement apartment are considered multi-family units.

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(15) "Paid eligible energy costs" means out-of-pocket expenditures paid by an eligible household in the form of rent payments or direct payments to a fuel vendor or person responsible for the fuel account for energy costs incurred during the heating season.

(16) "Self-employment deductions" means all costs, excluding depreciation costs, necessary for the creation of any income from self-employment.

(17) "Shelters" mean a dwelling unit or units whose principal purpose is to house on a temporary basis individuals who may or may not be related to one another, including transients, students, or other individuals seeking short-term or non-permanent living situations.

(18) "Single elderly household" means a household consisting of one person only, who is 60 years of age or older.

(19) "Single family unit" means a building which contains a single shelter or rental unit for living purposes. For purposes of the program, a double wide trailer or mobile home is considered a single family unit.

(20) "State fiscal year" means the period from July 1 of one calendar year through June 30 of the next calendar year. For example, state fiscal year 2004 means the period from July 1, 2003 through June 30, 2004.

(21) "U.S. department of health and human services poverty guidelines" means the poverty guidelines computed annually and published each year in the Federal Register.

(22) "Valid loan" means a monetary payment received from a source outside the household, including but not limited to a private individual or a commercial institution, which must be repaid at a future date. The agreement to repay may be either oral or written.

(23) "Vendor payment" means a monetary payment made on behalf of the household by a person or entity which is not a

member of the household to a third party outside the household such as a creditor of the household or a person or entity providing services or goods to the household. (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1987 MAR p. 2245, Eff. 12/11/87; AMD, 1988 MAR p. 2042, Eff. 10/1/88; AMD, 1989 MAR p. 1571, Eff. 10/13/89; AMD, 1992 MAR p. 2201, Eff. 9/25/92; AMD, 1993 MAR p. 1113, Eff. 5/28/93; AMD, 1993 MAR p. 2437, Eff. 10/15/93; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2000 MAR p. 2707, Eff. 10/6/00; AMD, 2001 MAR p. 2037, Eff. 10/12/01; AMD, 2002 MAR p. 3635, Eff. 11/28/02; AMD, 2004 MAR p. 1026, Eff. 4/23/04; AMD, 2004 MAR p. 2818, Eff. 11/19/04.)

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37.70.402

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37.70.402 ELIGIBILITY REQUIREMENTS FOR CERTAIN TYPES OF INDIVIDUALS AND HOUSEHOLDS (1) Except as provided elsewhere in this rule, households which consist solely of members receiving supplemental security income, TANF-funded cash assistance or county or tribal general assistance are automatically financially eligible for low income energy assistance benefit awards.

(2) Households which consist of members receiving SSI, TANF-funded cash assistance or county or tribal general assistance and other individuals whose income and resources were not considered in determining eligibility for SSI, TANF-funded cash assistance or general assistance are not automatically eligible for low income energy assistance but must meet the financial requirements set forth in this rule.

(3) Individuals living in shelters, including but not limited to recipients of SSI, TANF-funded cash assistance or county or tribal general assistance, are not eligible for low income energy assistance. Individuals living in licensed group-living situations as defined in ARM 37.70.401 may be eligible if they meet all other requirements for eligibility. Individuals living in licensed group-living situations which are not group-living situations as defined in ARM 37.70.401 are not eligible for low income energy assistance.

(4) Households which contain a member who is enrolled at least half time in an institution of higher education and who was claimed for the previous tax year as a dependent for federal income tax purposes by a taxpayer who is not a member of a household which is eligible in the current heating season, or which would be eligible in the current heating season if the household applied, are ineligible for low income energy assistance.

(5) Households deemed to be within the service population of an Indian tribe which received direct funding from the department to run its own program shall not be eligible for further LIEAP benefits from the state within the current heating season.

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(6) Residents of publicly subsidized housing whose heating costs are included as a portion of their rent and whose rent is a fixed portion of their income are not eligible for low income energy assistance benefits provided for in ARM 37.70.601 but are eligible for weatherization assistance as provided for in ARM Title 37, chapter 71.

(7) Current and future benefits may be denied any applicant or recipient who, having been prioritized for weatherization services as a high excess energy user, according to the criteria set forth in ARM 37.71.401 and 37.71.601, refuses, from reasons within his control, energy conservation services for the weatherization assistance program (WAP). The applicant or recipient may become eligible for benefits again by accepting the WAP energy conservation services. (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1982 MAR p. 1771, Eff. 10/1/82; AMD, 1985 MAR p. 1412, Eff. 9/27/85; AMD, 1986 MAR p. 1606, Eff. 9/26/86; AMD, 1987 MAR p. 1805, Eff. 10/16/87; AMD, 1989 MAR p. 1571, Eff. 10/13/89; AMD, 1992 MAR p. 2201, Eff. 9/25/92; AMD, 1993 MAR p. 2437, Eff. 10/15/93; AMD, 1996 MAR p. 2887, Eff. 10/25/96; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2000 MAR p. 2707, Eff. 10/6/00; AMD, 2001 MAR p. 2037, Eff. 10/12/01; AMD, 2002 MAR p. 3635, Eff. 11/28/02; AMD, 2004 MAR p. 1026, Eff. 4/23/04.)

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37.70.406 INCOME STANDARDS (1) Households with annual gross income at or below 150% of the 2005 U.S. department of health and human services poverty guidelines are eligible for low income energy assistance on the basis of income. Households with an annual gross income above 150% of the 2005 poverty guidelines are ineligible for low income energy assistance, unless the household is automatically financially eligible for LIEAP benefits as provided in ARM 37.70.402 because all members of the household are receiving SSI, TANF-funded cash assistance, or county or tribal general assistance.

(2) The table of income standards for households of various sizes for the 2005 heating season may be accessed at the department's website at [www.dphhs.mt.gov](http://www.dphhs.mt.gov), or a copy may be obtained from the Department of Public Health and Human Services, Human and Community Services Division, Intergovernmental Human Services Bureau, P.O. Box 202956, Helena, MT 59620. (History: 53-2-201, MCA; IMP, 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1982 MAR p. 1771, Eff. 10/1/82; AMD, 1983 MAR p. 1362, Eff. 9/30/83; AMD, 1984 MAR p. 1481, Eff. 10/12/84; AMD, 1985 MAR p. 1412, Eff. 9/27/85; AMD, 1986 MAR p. 1606, Eff. 9/26/86; AMD, 1987 MAR p. 1805, Eff. 10/16/87; AMD, 1988 MAR p. 2042, Eff. 10/1/88; AMD, 1989 MAR p. 1571, Eff. 10/13/89; AMD, 1990 MAR p. 1959, Eff. 10/26/90; AMD, 1991 MAR p. 1857, Eff. 10/1/91; AMD, 1992 MAR p. 2201, Eff. 9/25/92; AMD, 1993 MAR p. 2437, Eff. 10/15/93; AMD, 1994 MAR p. 2642, Eff. 9/23/94; AMD, 1995 MAR p. 2157, Eff. 10/13/95; AMD, 1996 MAR p. 2887, Eff. 10/25/96; AMD, 1997 MAR p. 2296, Eff. 12/16/97; TRANS, from SRS, 1998 MAR p. 2059; AMD, 1999 MAR p. 414, Eff. 3/12/99; AMD, 1999 MAR p. 2575, Eff. 11/5/99; AMD,

2000 MAR p. 2707, Eff. 10/6/00; AMD, 2001 MAR p. 2037, Eff. 10/12/01; AMD, 2002 MAR p. 3635, Eff. 11/28/02; AMD, 2004 MAR p. 1026, Eff. 4/23/04; AMD, 2004 MAR p. 2818, Eff. 11/19/04; AMD, 2005 MAR p. 2078, Eff. 10/28/05.)

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37.70.407 CALCULATING INCOME (1) Excluded from income are the following types of unearned income and deductions:

(a) complementary assistance from other agencies and organizations which consists of goods and services not included in or duplicated by the low income energy assistance benefit award;

(b) home produce utilized for household consumption;

(c) undergraduate student loans and grants for educational purposes made or insured under any program administered by the commissioner of education;

(d) extension of OASDI benefits for 18 to 22 year olds who are full-time students;

(e) the value of the food stamp coupon allotment;

(f) the value of U.S. department of agriculture donated foods;

(g) any benefits received under Title III of the Nutrition Program for the Elderly of the Older Americans Act of 1965 as amended;

(h) the value of supplemental food assistance received under the Child Nutrition Act of 1966, and the special food services program for children under the National School Lunch Act (P.L. 92-433 and P.L. 93-150);

(i) all monies awarded to Indian tribes by the Indian claims commission or court of claims as authorized by P.L. 92-254, 93-134, 94-540, 95-433, 97-408, or other applicable awards as provided in public law;

(j) payments received under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act

of 1970;

(k) the tax exempt portions of payments made pursuant to P.L. 92-203, the Alaska Native Claims Settlement Act;

(l) all payments under Title I of the Elementary and Secondary Education Act;

(m) all earnings, work incentive allowances, reimbursement of training related expenses, and other allowances and payments made to a participant in any program under the Workforce Investment Act of 1998, 20 USC 9201 et seq.;

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(n) payment for supportive services or reimbursement of out-of-pocket expenses made to individual volunteers serving as senior health aides, or senior companions, and to persons serving in service corps of the retired executives and active corps of executives, and any other program under Titles II and III of P.L. 93-113;

(o) payments to individual volunteers under Title I (VISTA) of P.L. 93-113, pursuant to section 404(g) of that law;

(p) proceeds from sale of the family home;

(q) one-time insurance payments, compensation for injury, or payments from federal or state crime victim compensation programs;

(r) the entire amount of veteran's administration educational payments made to an applicant or recipient who is attending an institution of higher education, including amounts spent for expenses not directly related to the individual's school attendance;

(s) veteran's administration pension reimbursements for medical expenses;

(t) foster care payments received for a foster child or adult if the LIEAP applicant has chosen to exclude the foster child or adult from the household; such payments are not excluded if the applicant has chosen to include the foster adult or child as a member of the household. Additionally, any foster care payments received during the 12 months immediately preceding the month of application for a foster child or adult who is no longer living in the household at the time of

application shall be excluded;

(u) in-kind income;

(v) valid loans, except that the funds received from valid loans are considered as a resource until the funds are spent;

(w) gifts of up to \$50 per month per household member. If the gift is in an amount equal to or greater than \$50, however, the entire gift will be counted;

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(x) nonrecurring lump sum payments that do not constitute income or benefits for any of the 12 months immediately preceding the month of application. The funds received from a nonrecurring lump sum payment are considered as a resource until the funds are spent, however; and

(y) vendor payments, except the following types of vendor payments:

(i) payments which are legally owed or otherwise payable to the household but are diverted by the provider of the payment to a third party for an expense or debt of the household;

(ii) federal, state, or tribal benefits payable directly to the household but are diverted to a third party or protective payee for an expense or debt of the household; and

(iii) rent or mortgage payments made to the household's landlord or mortgagee. (History: 53-2-201, MCA; IMP, 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1982 MAR p. 1771, Eff. 10/1/82; AMD, 1983 MAR p. 1362, Eff. 9/30/83; AMD, 1984 MAR p. 1481, Eff. 10/12/84; AMD, 1985 MAR p. 1412, Eff. 9/27/85; AMD, 1986 MAR p. 1606, Eff. 9/26/86; AMD, 1987 MAR p. 1805, Eff. 10/16/87; AMD, 1988 MAR p. 2042, Eff. 10/1/88; AMD, 1990 MAR p. 1959, Eff. 10/26/90; AMD, 1991 MAR p. 1857, Eff. 10/1/91; AMD, 1992 MAR p. 2201, Eff. 9/25/92; AMD, 1993 MAR p. 2437, Eff. 10/15/93; AMD, 1994 MAR p. 2642, Eff. 9/23/94; AMD, 1995 MAR p. 2157, Eff. 10/13/95; AMD, 1996 MAR p. 2887, Eff. 10/25/96; AMD, 1997 MAR p. 504, Eff. 10/25/96; AMD, 1997 MAR p. 2296, Eff.





equal to the limitation amount for the previous year, multiplied by the lesser of:

(a) the percentage increase in the consumer price index (all items, United States city average) for the most recent calendar year completed before the beginning of the year for which the determination is being made; or

(b) 3%. (History: 53-2-201, MCA; IMP, 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1982 MAR p. 1771, Eff. 10/1/82; AMD, 1983 MAR p. 1362, Eff. 9/30/83; AMD, 1984 MAR p. 1481, Eff. 10/12/84; AMD, 1985 MAR p. 1412, Eff. 9/27/85; AMD, 1991 MAR p. 1857, Eff. 10/1/91; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2000 MAR p. 2707, Eff. 10/6/00; AMD, 2001 MAR p. 2037, Eff. 10/12/01; AMD, 2002 MAR p. 3635, Eff. 11/28/02; AMD, 2004 MAR p. 1026, Eff. 4/23/04; AMD, 2004 MAR p. 2818, Eff. 11/19/04; AMD, 2005 MAR p. 2078, Eff. 10/28/05.)

Subchapter 5 reserved

|                                 |          |           |
|---------------------------------|----------|-----------|
| NEXT PAGE IS 37-15401           |          |           |
| ADMINISTRATIVE RULES OF MONTANA | 12/31/05 | 37-15387  |
| LOW INCOME ENERGY               |          | 37.70.601 |
| ASSISTANCE PROGRAM              |          |           |

Subchapter 6

Need and Amount of Assistance

37.70.601 BENEFIT AWARD (1) The benefit matrices in (1)(c) and (1)(d) are used to establish the benefit payable to an eligible household for a full heating season (October through April). The benefit varies by household income level, type of primary heating fuel, the type of dwelling (single family unit, multi-family unit, mobile home), the number of bedrooms in the dwelling, and the heating districts in which the household is located, to account for climatic differences across the state.

(a) The benefit payable to an eligible household will be computed by multiplying the applicable amount in the table of base benefit levels found in (1)(c) by the applicable matrix amount in the table of income/climatic adjustment multipliers found in (1)(d).

(b) Applicants may claim no more bedrooms than household members except that single elderly and disabled individual households are entitled to claim two bedrooms if their dwelling unit contains more than one bedroom.

(c) The following table of base benefit levels takes into account the number of bedrooms in a house, the type of dwelling

structure, and the type of fuel used as a primary source of heating:

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TABLE OF BENEFIT LEVELS

(i) SINGLE FAMILY

| # BEDROOMS | NATURAL |          |         |          |       |       |
|------------|---------|----------|---------|----------|-------|-------|
|            | GAS     | ELECTRIC | PROPANE | FUEL OIL | WOOD  | COAL  |
| ONE        | \$362   | \$ 407   | \$ 469  | \$ 374   | \$251 | \$166 |
| TWO        | 526     | 592      | 683     | 544      | 365   | 241   |
| THREE      | 717     | 806      | 930     | 742      | 497   | 328   |
| FOUR       | 987     | 1,109    | 1,279   | 1,020    | 684   | 451   |

(ii) MULTI-FAMILY

| # BEDROOMS | NATURAL |          |         |          |       |       |
|------------|---------|----------|---------|----------|-------|-------|
|            | GAS     | ELECTRIC | PROPANE | FUEL OIL | WOOD  | COAL  |
| ONE        | \$306   | \$344    | \$ 397  | \$ 398   | \$212 | \$140 |
| TWO        | 461     | 518      | 598     | 599      | 319   | 211   |
| THREE      | 677     | 761      | 877     | 879      | 469   | 309   |
| FOUR       | 790     | 889      | 1,025   | 1,028    | 547   | 361   |

(iii) MOBILE HOME

| # BEDROOMS | NATURAL |          |         |          |       |       |
|------------|---------|----------|---------|----------|-------|-------|
|            | GAS     | ELECTRIC | PROPANE | FUEL OIL | WOOD  | COAL  |
| ONE        | \$305   | \$343    | \$396   | \$331    | \$212 | \$140 |
| TWO        | 446     | 501      | 578     | 484      | 309   | 204   |
| THREE      | 591     | 665      | 767     | 641      | 410   | 270   |
| FOUR       | 660     | 742      | 856     | 715      | 458   | 302   |

(d) The following table is based upon the household's income as a percentage of the federal poverty guideline and adjusted for climatic differences in the 10 human resource development council service areas in the state of Montana:

|          |          |                                 |
|----------|----------|---------------------------------|
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| PERCENT OF<br>POVERTY                      | AEM  | IV   | V    | VI   | VII  | VIII | IX   | X    | XI   | XII  |
|--|------|------|------|------|------|------|------|------|------|------|
| TABE-OF1-INCOME-CLINIC-ADJUSTED-MULTIPLIER | 0.95 | 1.02 | 0.94 | 0.94 | 0.89 | 0.97 | 1.03 | 0.90 | 0.92 | 1.09 |
| > 11 - 23                                  | 0.90 | 0.97 | 0.89 | 0.89 | 0.84 | 0.92 | 0.98 | 0.86 | 0.87 | 1.04 |
| > 23 - 35                                  | 0.85 | 0.92 | 0.84 | 0.84 | 0.79 | 0.87 | 0.92 | 0.81 | 0.82 | 0.98 |
| > 35 - 47                                  | 0.80 | 0.86 | 0.79 | 0.79 | 0.75 | 0.82 | 0.87 | 0.77 | 0.78 | 0.93 |
| > 47 - 59                                  | 0.75 | 0.81 | 0.74 | 0.74 | 0.70 | 0.77 | 0.81 | 0.68 | 0.69 | 0.87 |
| > 59 - 71                                  | 0.70 | 0.75 | 0.69 | 0.69 | 0.65 | 0.71 | 0.76 | 0.63 | 0.64 | 0.76 |
| > 71 - 83                                  | 0.65 | 0.70 | 0.64 | 0.64 | 0.61 | 0.66 | 0.70 | 0.59 | 0.60 | 0.71 |
| > 83 - 95                                  | 0.60 | 0.65 | 0.59 | 0.59 | 0.56 | 0.61 | 0.65 | 0.54 | 0.55 | 0.65 |
| > 95 - 107                                 | 0.55 | 0.59 | 0.54 | 0.54 | 0.51 | 0.56 | 0.60 | 0.50 | 0.50 | 0.60 |
| >107 - 119                                 | 0.50 | 0.54 | 0.49 | 0.49 | 0.47 | 0.51 | 0.54 | 0.45 | 0.46 | 0.55 |
| >119 - 131                                 | 0.45 | 0.48 | 0.44 | 0.44 | 0.42 | 0.46 | 0.49 | 0.41 | 0.41 | 0.49 |
| >131 - 143                                 | 0.40 | 0.43 | 0.39 | 0.39 | 0.37 | 0.41 | 0.43 | 0.36 | 0.37 | 0.44 |
| >143 - 150*                                |      |      |      |      |      |      |      |      |      |      |

\*This category also applies to those whose income exceeds 150% of the poverty guideline and meets the criteria of ARM 37.70.406(1)(a).

(2) For households that applied for benefits for the 2004-2005 heating season prior to April 30, 2005 and were determined eligible, the heating season shall be extended until June 30, and they shall receive a supplemental benefit in addition to the benefit described in (1)(a). The supplemental benefit shall be equal to 27.95472% of the benefit provided in (1)(a) rounded to the nearest whole dollar or a minimum of \$20, whichever is greater. This supplemental benefit will be paid for the 2004-2005 heating season only. (History: 53-2-201, MCA; IMP, 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1982 MAR p. 1771, Eff. 10/1/82; AMD, 1983 MAR p. 131, Eff. 2/11/83; AMD, 1983 MAR p. 1362, Eff. 9/30/83; AMD, 1984 MAR p. 1481, Eff. 10/12/84; AMD, 1985 MAR p. 1412, Eff. 9/27/85; EMERG, AMD, 1986 MAR p. 362, Eff. 3/14/86; AMD, 1986 MAR p. 1606, Eff. 9/26/86; AMD, 1987 MAR p. 1805, Eff. 10/16/87; AMD, 1988 MAR p. 2042, Eff. 10/1/88; AMD, 1989 MAR p. 1571, Eff. 10/13/89; AMD, 1990 MAR p. 2307, Eff. 10/26/90; AMD, 1991 MAR p. 1857, Eff. 10/1/91; AMD, 1992 MAR p. 2201, Eff. 9/25/92; AMD, 1993 MAR p. 2437, Eff. 10/15/93; AMD, 1994 MAR p. 2642, Eff. 9/23/94; AMD, 1995 MAR p. 2157, Eff. 10/13/95; AMD, 1996 MAR p. 2887, Eff. 10/25/96; AMD, 1997 MAR p. 2296, Eff. 12/16/97; TRANS, from SRS, 1998 MAR p. 2059; AMD, 1999 MAR p. 414, Eff. 3/12/99; AMD, 1999 MAR p. 2575, Eff. 11/5/99; AMD, 2000 MAR p. 2707, Eff. 10/6/00; AMD, 2001 MAR p. 401, Eff. 3/9/01; AMD, 2001 MAR p. 2037, Eff. 10/12/01; AMD, 2002 MAR p. 3635, Eff. 11/28/02; AMD, 2004 MAR p. 1026, Eff. 4/23/04; AMD, 2004 MAR p. 2818, Eff. 11/19/04; AMD, 2005 MAR p. 1786, Eff. 9/23/05; AMD, 2005 MAR p. 2078, Eff. 10/28/05.)

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37.70.602 BENEFIT AWARDS: MISCELLANEOUS (1) Households found eligible may apply all or a portion of their benefit award for conversion to a less costly heating fuel.

(2) Eligible households who convert to a less costly heating fuel must disclaim any right to additional program benefits for the current heating season regardless of change of address or any other circumstance except emergencies as defined in ARM 37.70.901.

(3) When a household changes residence or type of primary fuel during the heating season, the household may request to have its benefit award recomputed for the new circumstances. When the household changes residence, a new application must be filed. The benefit award for the new circumstances will be equal to the benefit award the household would have received had its original application been for the new circumstances prorated from the date of the change of residence or type of primary fuel. The unused portion of the original benefit award reverts to the department.

(4) Benefit award will be prorated for applicants new to the state or not previously responsible for heating costs from the date of residency or responsibility for the remainder of the heating season. (History: 53-2-201, MCA; IMP, 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1982 MAR p. 1771, Eff. 10/1/82; AMD, 1983 MAR p. 131, Eff. 2/11/83; AMD, 1983 MAR p. 1362, Eff. 9/30/83; AMD, 1984 MAR p. 1481, Eff. 10/12/84; AMD, 1985 MAR p. 1412, Eff. 9/27/85; AMD, 1986 MAR p. 1606, Eff. 9/26/86; AMD, 1993 MAR p. 2437, Eff. 10/15/93; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2005 MAR p. 2078, Eff. 10/28/05.)

37.70.603 REVERSION OF BENEFITS (1) If a beneficiary discontinues utility service or changes residence or fuel type, the balance of the fuel benefit will be returned to the department. (History: 53-2-201, MCA; IMP, 53-2-201, MCA; NEW, 1984 MAR p. 1481, Eff. 10/12/84; TRANS, from SRS, 1998 MAR p. 2059.)

Rules 04 through 06 reserved

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37.70.607

37.70.607 AMOUNT AND METHOD OF PAYMENT (1) Eligible households that are billed for energy costs directly by the fuel vendor shall be paid a benefit in the amount provided by ARM 37.70.601 and shall be paid as follows:

(a) Reimbursement may, at the discretion of the department only, be made by check payable to the household for any eligible energy costs which have been paid by the household at the time of the benefit or adjusted award. Paid eligible energy costs claimed by the household must be supported by fuel receipts.

(b) The amount of the benefit or adjusted award remaining after the application of (1)(a) will be paid by check directly to the fuel vendor and will be applied by the fuel vendor against any unpaid, including any future, eligible energy costs of the household in accordance with the department-provided vendor application and contract. Any credit balance in excess of \$50 attributable to the benefit or adjusted award after the end of the heating season must be returned to the department.

(c) Application for benefits for the current heating season will not be processed until the credit balances for each of the household's fuel vendors attributable to previous years' program awards total less than \$50.

(d) All credit balances are presumed to be from previous program awards unless the applicant provides proof to the contrary.

(2) Eligible households that pay energy costs for heating their homes that are not billed directly by the fuel vendor because the fuel account is not in the name of a member of the household shall be reimbursed for eligible energy costs paid by the household, provided that the amount paid to the household for the heating season shall not exceed the benefit amount provided by ARM 37.70.601. Reimbursement shall be made by check payable to the household. The household must provide receipts to document paid eligible energy costs claimed. The household must provide receipts to support the paid eligible energy costs to the local contractor within 45 days of the end of the heating season for which benefits are sought.

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(3) For eligible households that have their energy costs included in their rental payments:

(a) The household shall be paid a benefit computed on a monthly basis. For each month of the current heating season for which the household provides a paid rent receipt, the household shall be reimbursed a pro rata portion (determined by dividing one by the number of months in the heating season) of the benefit amount provided in ARM 37.70.601; provided, however, that the benefit paid to the household for any month shall not exceed 50% of the rent paid for that month as evidenced by the rent receipt. Failure to provide rent receipts to the local contractor within 45 days of the end of the heating season shall result in the forfeiture of any benefits to which the household would otherwise be entitled.

(b) The benefit shall be paid by check payable to the household.

(4) Benefits for eligible households using wood to heat their dwelling shall be paid as follows:

(a) by payment to a wood vendor for purchases of wood;

(b) at the option of the local agency, by payment directly to the household for future purchases of wood, provided, however, that households which receive a direct payment shall not be entitled to any additional benefits for the current heating season which the household might otherwise be entitled to receive due to a move to a different dwelling or other change in circumstances, except an emergency as defined in ARM 37.70.901; or

(c) when the household provides receipts to verify that the household has purchased wood between July 1 and the end of the heating season of the current state fiscal year, by a payment directly to the household reimbursing the household for wood already purchased. Households which are reimbursed by a direct payment do not lose their right to additional benefits for the current heating season as provided in (4)(b). Failure to provide receipts verifying wood purchases to the local contractor within 45 days of the end of the heating season of the calendar year in which the heating season for which benefits are sought ended shall result in the forfeiture of any benefits to which the household would otherwise be entitled. (History: 53-2-201, MCA; IMP, 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1982 MAR p. 1771, Eff. 10/1/82; AMD, 1983 MAR p. 131, Eff. 2/11/83; AMD, 1984 MAR p. 1481, Eff. 10/12/84; AMD, 1985 MAR p. 1412, Eff. 9/27/85; AMD, 1986 MAR p. 2021, Eff. 12/12/86; AMD, 1987 MAR p. 1805, Eff. 10/16/87; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2000 MAR p. 2707, Eff. 10/6/00; AMD, 2004 MAR p. 1026, Eff. 4/23/04; AMD, 2004 MAR p. 2818, Eff. 11/19/04; AMD, 2005 MAR p. 1786, Eff. 9/23/05.)



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37.70.608

37.70.608 ADJUSTMENT OF PAYMENTS TO AVAILABLE FUNDS

(1) When funds are not available to serve all eligible households, the department may, at its option, take any or all of the following steps as needed:

(a) reduce the maximum benefit amounts of the benefit award matrices;

(b) limit eligibility to only financially needy households with a member 60 years of age or older or with a member who is disabled and receiving supplemental security income or social security income based on permanent and total disability;

(c) deny all subsequent applications.

(2) If additional funds become available to serve eligible households, the department may, at its option, take any or all of the following steps as needed:

(a) increase the maximum benefit amounts of the benefit award matrices;

(b) extend the duration of the current heating season beyond April 30; or

(c) increase the maximum income standards for eligibility, if permitted by federal law. (History: 53-2-201, MCA; IMP, 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1983 MAR p. 1362, Eff. 9/30/83; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2002 MAR p. 3635, Eff. 11/28/02; AMD, 2005 MAR p. 1786, Eff. 9/23/05.)

Subchapters 7 and 8 reserved

Subchapter 9

Emergency and  
Supplemental Assistance

37.70.901 EMERGENCY ASSISTANCE (1) Emergency assistance under the low income energy assistance program may be provided to an eligible household in the following circumstances only when such circumstances present a serious, immediate threat to the health and safety of the household:

(a) the household's primary supply of energy is interrupted because of weather conditions and another supply or a different type of energy is necessary;

(b) weather or other forces outside the control of the household damages the household's dwelling and causes the dwelling to suffer a severe loss of heat;

(c) hazardous or potentially hazardous conditions exist in the household's primary home water heating and/or space heating systems and safety modifications to the system are required; or

(d) any other home energy-related conditions caused by severe weather conditions, fuel shortages and/or acts of God.

(2) Eligibility requirements:

(a) A household eligible for the low income energy assistance program which has an emergency as defined above is eligible for emergency assistance.

(b) A household which would be eligible for the low income energy assistance program had the household applied and which has an emergency as defined above is also eligible for emergency assistance.

(3) The household is responsible, at its own expense, for documenting that circumstances exist which present a serious, immediate threat to the household as defined in (1)(a) through (d). The local contractor may, however, in its discretion and subject to the priorities and restrictions specified in its contract with the department, assist the household in identifying and documenting such circumstances, if the local contractor has the expertise and resources to do so.

(4) Emergency assistance payments may be made on behalf of the eligible household for actual costs necessary to alleviate the emergency. However, no emergency assistance payments will be made for costs which are the liability of a third party, unless the household assigns to the department in writing its rights to such third party payments. Emergency assistance payments are limited to a total of \$250 per household in a 12 month period commencing on the first of October immediately preceding the date of the request for emergency assistance, except as follows:

(a) An eligible household may receive emergency assistance payments which total more than \$250 in a 12 month period if the local contractor determines before the services are rendered that services are necessary to alleviate an emergency.

(5) Subject to the provisions of (6), after a household has requested emergency assistance and provided proof that it is financially and otherwise eligible for such assistance, the contractor shall provide some form of assistance to resolve the emergency:

(a) within 48 hours after the request is made in all cases; and

(b) within 18 hours after the request is made, if the emergency is a life-threatening situation.

(6) The time limits contained in (5)(a) and (b) for provision of emergency assistance do not apply in a geographical area affected by a disaster or emergency as designated in (6)(a) and (b), as long as the designation is in effect, if the secretary of the U.S. department of health and human services determines that the disaster or emergency makes compliance with the time limits impracticable. This exception to the time limit applies when:

(a) a natural disaster has been designated by the secretary of the U.S. department of health and human services; or

(b) a major disaster or emergency has been designated by the president under the Disaster Relief Act of 1974.

(7) The identification, removal, and/or abatement of asbestos is not an allowable use of emergency assistance funds. (History: Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1997 MAR p. 2296, Eff. 12/16/97; TRANS, from SRS, 1998 MAR p. 2059; AMD, 1999 MAR p. 414, Eff. 3/12/99; AMD, 1999 MAR p. 2575, Eff. 11/5/99; AMD, 2000 MAR p. 2707, Eff. 10/6/00; AMD, 2004 MAR p. 2818, Eff. 11/19/04.)

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37.70.902

37.70.902 SUPPLEMENTAL ASSISTANCE (REPEALED) (History:  
Sec. 53-2-201, MCA; IMP, Sec. 53-2-201, MCA; NEW, 1986 MAR p.  
1606, Eff. 9/26/86; AMD, 1987 MAR p. 1805, Eff. 10/16/87; AMD,  
1987 MAR p. 2245, Eff. 12/11/87; AMD, 1989 MAR p. 1571, Eff.  
10/13/89; AMD, 1990 MAR p. 1959, Eff. 10/26/90; AMD, 1994 MAR p.  
2642, Eff. 9/30/94; AMD, 1996 MAR p. 2887, Eff. 10/25/96; TRANS,  
from SRS, 1998 MAR p. 2059; AMD, 1999 MAR p. 2575, Eff. 11/5/99;  
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